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GOVERNMENT OF THE PEOPLE'S REPUBLIC OF BANGLADESH
MINISTRY OF POWER, WATER RESOURCE AND FLOOD CONTROL

Water Wing

Section XIV

NOTIFICATION

Dacca, the 21st April, 1981

No. S.R.O.124-L/81.—In exercise of the powers conferred by Article 33 of the Bangladesh Water and Power Development Boards Order, 1972 (P.O. No. 59 of 1972), the Government is pleased to make the following rules, namely:—

1. **Short title.**—These rules may be called the Bangladesh Power Development Board Employees (Seniority of Freedom Fighters) Rules, 1981.

2. **Rules to override other rules, etc.**—These rules shall have effect notwithstanding anything contained in any other rules, regulations, orders or instructions relating to seniority or other conditions of service of the employees of Bangladesh Power Development Board for the time being in force.

3. **Definition.**—In these rules, unless there is anything repugnant in the subject or context, "freedom fighter" means any of the following persons who, being an employee, on the 25th March, 1971, of the erstwhile East Pakistan Water and Power Development Authority, participated in the war of liberation, namely:—

- (i) those who officially reported to the Government of Bangladesh at Mujibnagar and were accepted by the Government of Bangladesh;

(885)

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- (ii) those who abstained from their duty in, and did not receive salary from, the erstwhile East Pakistan Water and Power Development Authority with a view to participating in the liberation struggle, whether staying inside or outside Bangladesh, for a continuous period of not less than three months immediately preceding the 3rd December, 1971, and did not serve under any Government or any organisation not under the control of the Government of Bangladesh but could not formally report to the Government of Bangladesh at Mujibnagar;
- (iii) those who expressly declared their allegiance to the Government of Bangladesh from abroad and thereby defected from service under the erstwhile East Pakistan Water and Power Development Authority before the 31st October, 1971;
- (iv) those who worked for the liberation struggle and carried out instructions of the Government of Bangladesh at Mujibnagar during the period from the 17th April to the 16th December, 1971, but had not openly declared their allegiance to the Government of Bangladesh from abroad for tactical reasons and under clear and recorded instructions from the Government of Bangladesh at Mujibnagar; and
- (v) those who suffered imprisonment or detention in the hands of occupation army and on release were not reinstated or were dismissed or removed from service or did not join service before the 16th December, 1971.

4. **Ante-dated seniority.**—A freedom fighter shall be given two years' ante-dated seniority in the post held by him on the 25th March, 1971, with all attendant benefits in terms of promotion and fixation of pay.

Example.—A freedom fighter appointed to a post on the 1st December, 1970, shall be deemed to have been appointed to that post on the 1st December, 1968. If two or more freedom fighters joined the posts on the same date and they have passed the same examination from the same institution their *inter se* seniority shall be determined according to the year of their passing such examination; and if that be in the same year, then according to their final position in the said examination as determined by their mark sheets; otherwise, seniority shall be determined on the basis of their age as recorded in the Matriculation or equivalent certificate.

5. **Fixation of pay.**—Upon the grant of two years' ante-dated seniority under these rules to a freedom fighter, the pay of the freedom fighter shall be re-fixed having regard to such seniority but no arrears of pay shall be admissible to him on account of such re-fixation.

6. **Rules not to apply in certain cases.**—Where any freedom fighter has been given, only on account of his having participated in the war of liberation, any promotion for which he would not have, on account of his relative seniority, been considered, the benefit of two years' ante-dated seniority under these rules shall not be available to him in his promoted position.

By order of the President

S. A. KHAIR

Secretary.

SUPREME COURT OF BANGLADESH

Appellate Division

NOTIFICATION

Dacca, the 16th April, 1981

No. F.2-1/80-AD(A).—Mr Justice Shahabuddin Ahmed, an *ad hoc* Judge of the Appellate Division of the Supreme Court of Bangladesh, has taken oath as Judge of the Appellate Division of the said Court on this day, the 16th April, 1981, at 10-30 a.m. The Hon'ble Chief Justice Mr Justice Kemaluddin Hossain has administered the oath of office.

KHONDKAR B. AHMED

Registrar.

**OFFICE OF THE ADDITIONAL DISTRICT AND SESSIONS JUDGE,
DACCA**

PROCLAMATION

Whereas it has been made to appear to me that accused Chora Mantu, son of Waz Ali Maji of Noapara, P.S. Keraniganj, at present 69, Braman Chita, P.S. Demra, Dacca, is required for the purpose of trial in the Spl. Tri. Court No. V, Dacca under the provisions of the Special Powers Act (Amendment) Ordinance No. XL of 1977, dated the 23rd August, 1977;

And whereas this Court has reasons to believe that the said accused Chora Mantu is absconding or concealing himself to avoid appearance or arrest for the said purpose;

Now, therefore, I, Md. Golam Mustafa, Special Tribunal No. V, Dacca, in exercise of the power conferred by the Special Powers Act (Amendment) Ordinance No. XL of 1977, do hereby direct the said accused person to appear before this Court on 20th May 1981 at 10-00 a.m. to face his trial, failing which he will be tried *in absentia* in Special Tribunal Case No. 88 of 1980 arising out of Demra P.S. Case No. 31(6)78, u/s. 19(A) Sp. Act.

M. G. MUSTAFA

*Additional District and Sessions
Judge, Dacca.*

IN THE COURT OF THE ASSISTANT SESSIONS JUDGE, PABNA

NOTIFICATION

Whereas it has been made to appear to this Court that the following accused person in Sessions Case No. 90 of 1980 of G.R. Case No. 407/79 arising out of Santhia P.S. Case No. 2, dated the 28th October, 1979, u/s. 392/411, B.P.C., is required for the purpose of trial in the Court of the Assistant Sessions Judge, Pabna;

And whereas this Court has reason to believe that the said accused person is absconding himself to avoid appearance or arrest for the purpose;

Now, therefore, in exercise of the powers conferred by paragraph No.2(6) of the Ordinance No. XL of 1977, this Court directs the accused, particulars of whom are given below, to appear before this Court within 30 (thirty) days from the date of publication of this Notification, failing which he will be tried *in absentia* and his properties may be confiscated to the Government:

Particulars of accused person.

Sukur Ali, son of late Asgor Ali, village Kusiara, P.S. Bera, Dist. Pabna.

HASSAN AMEEN

Assistant Sessions Judge, Pabna.

BEFORE SPECIAL TRIBUNAL No. II

AND

**IN THE FIRST COURT OF ADDITIONAL SESSIONS JUDGE OF
BAKERGANJ.**

Special Tribunal Case No. 182 of 1977.

ORDERS

Whereas the undermentioned accused persons are required for the purpose of trial before this Tribunal in the Special Tribunal Case No. 182 of 1977 arising out of G.R. Case No. 1035/74 and Wazirpur P.S. Case No. 10(10)74 under section 395/397 of the Penal Code and 26 Special Powers Act, 1974;

Whereas this Tribunal has reason to believe that the accused persons have absconded and are concealing themselves so that they may not be arrested and produced before this Court for trial;

Now, therefore, in exercise of the powers conferred by sub-section (6) of the section 27 of the Special Powers Act, 1974, I do hereby direct the undermentioned accused to appear before this Tribunal on the 30th May, 1981 at 10-30 a.m. or within 30 days from the date of publication of this order in the official Gazette, whichever is later, failing which they shall be tried *in absentia*.

Particulars of accused.

- (1) Gagonath Ghosal, son of late Gopal Krishno of vill. Andar Manik, P.S. Wazirpur,
- (2) Swapan, son of Ananto Baddo of vill. Ramerkati,
- (3) Rajendra Nath Baddo, son of late Nibaran Baddo of vill. Do.,
- (4) Ismail Sardar, son of Abdul Hashem Sarkar of vill. Balurghat,
- (5) Abdul Halim Kha, son of Sabdar Kha of vill. Dhamura,

all of P.S. Wazirpur, Dist. Bakerganj.

Special Tribunal Case No. 224 of 1977.

Whereas the undermentioned accused person is required for the purpose of trial before this Tribunal in the Special Tribunal Case No. 224 of 1977 arising out of G.R. Case No. 87/77 and Kotwali P.S. Case No. 13(2)/77 under section 395/397 of the Penal Code and 26 Special Powers Act, 1974;

Whereas this Tribunal has reason to believe that the accused person has absconded and is concealing himself so that he may not be arrested and produced before this Court for trial;

Now, therefore, in exercise of the powers conferred by sub-section (6) of section 27 of the Special Powers Act, 1974, I do hereby direct the undermentioned accused to appear before this Tribunal on 30th May, 1981 at 10-30 a.m. or within 30 days from the date of publication of this Order in the official Gazette whichever is later, failing which he shall be tried *in absentia*.

Particulars of accused.

(1) Abul Khair Mohd. Jakaria, son of late Moulana Serajul Haque of vill. Solna, P.S. Kotwali, Dist. Bakerganj.

Special Tribunal Case No. 225 of 1977.

Whereas the undermentioned accused persons are required for the purpose of trial before this Tribunal in the Special Tribunal Case No. 225 of 1977 arising out of G.R. Case No. 701/74 and Kotwali P.S. Case No. 77, dated the 28th July, 1974 under section 394 of the Penal Code and 26 Special Powers Act, 1974;

Whereas this Tribunal has reason to believe that the accused persons have absconded and are concealing themselves so that they may not be arrested and produced before this Court for trial;

Now, therefore, in exercise of the powers conferred by sub-section (6) of section 27 of the Special Powers Act, 1974, I do hereby direct the undermentioned accused to appear before this Tribunal on 25th May 1981 at 10-30 a.m. or within 30 days from the date of publication of this Order in the official Gazette, whichever is later, failing which they shall be tried *in absentia*.

Particulars of accused.

Accused (1) Kalu, son of Ensab Ali of vill. Kowar Char,

(2) Seraj *alias* Sujuddin, son of Gohor Ali of vill. Durgapur, all of P.S. Kotwali, Dist. Bakerganj.

Special Tribunal Case No. 380 of 1977.

Whereas the undermentioned accused persons are required for the purpose of trial before this Tribunal in Special Tribunal Case No. 380 of 1977 arising out of G.R. Case No. 135/76 and Bholā P.S. Case No. 16, dated the 28th April, 1976 under section 394 of the Penal Code and 26 Special Powers Act of 1974;

Whereas this Tribunal has reason to believe that the accused persons have absconded and are concealing themselves so that they may not be arrested and produced before this Court for trial;

Now, therefore, in exercise of the powers conferred by sub-section (6) of section 27 of the Special Powers Act, 1974, I do hereby direct the under-mentioned accused to appear before this Tribunal on 14th May 1981 at 10-30 a.m. or within 30 days from the date of publication of this Order in the official Gazette, whichever is later, failing which they shall be tried *in absentia*.

Particulars of accused.

- (1) Alam Chowkider, son of late Billat Ali Chowkider of vill. South Balia,
- (2) Alam, son of Abdul Khaleque Faraji of vill. Kuralia,
both of P.S. Bholā, Dist. Bakerganj.

A. HAMID

*Special Tribunal No. II and
Additional Sessions Judge,
First Court of Bakerganj.*